

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIE SIMPSON,

Plaintiff,

v.

ORDER

11-cv-851-bbc

TIMOTHY HAINES, THOMAS BELZ,
KEITH WIEGEL, TIMOTHY JONES,
SCOTT JONES, MICHAEL COCKCROFT,
TODD BRUDOS, DANE ESSER, SHAWN GALLINGER,
MATTHEW SCULLION, THOMAS BROWN,
PETER BRINKMAN, LAVERNE WALLACE, BRIAN GENRICH,
MICHAEL SHERMAN, SARAH PELKY, MATTHEW OSWALD,
TRAVIS PARR, DAN SUTHERS, NICHOLAS MORIS,
JASON ROBERTS, AARON RICHTER, RUSSELL HILL,
DANIEL LEFFLER and SIX JOHN DOE CORRECTIONAL OFFICERS,

Defendants.

Plaintiff Willie Simpson is an inmate in the custody of the Department of Corrections at the Wisconsin Secure Program Facility in Boscobel, where all of the defendants are employed as officers or officials. On August 2, 2012, I granted plaintiff leave to proceed on the claims in his amended complaint against defendants Timothy Haines, Thomas Belz, Keith Wiegel, Timothy Jones, Scott Jones, Michael Cockcroft, Matthew Scullion, Thomas Brown, Todd Brudos, Dan Esser, Susan Gallinger, Peter Brinkman, Laverne Wallace, Matthew Oswald, Travis Parr, Dan Suthers, Brian Genrich, Sarah Pelky, Nicholas Moris, Daniel Leffler, Russell Hill, Michael Sherman, Aaron Richter, Jason Roberts and six

unnamed correctional officers. On October 9, 2012, plaintiff moved to voluntarily dismiss all of the defendants except Timothy Haines.

On October 17, 2012, all of the defendants except Haines advised the court that they would stipulate to plaintiff's voluntary dismissal of the action. Accordingly, the case will be dismissed against all of the stipulating defendants and proceed against Timothy Haines only and only on plaintiff's claim that Warden Timothy Haines failed to take action or protect plaintiff from harm after he complained about exposure to toxic chemicals in his cell and banging on the walls of his cell, preventing plaintiff from being able to sleep.

ORDER

IT IS ORDERED that

1. Plaintiff Willie Simpson's complaint against defendants Thomas Belz, Keith Wiegall, Timothy Jones, Scott Jones, Michael Cockcroft, Matthew Scullion, Thomas Brown, Todd Brudos, Dan Esser, Susan Gallinger, Peter Brinkman, Laverne Wallace, Matthew Oswald, Travis Parr, Dan Suthers, Brian Genrich, Sarah Pelky, Nicholas Moris, Daniel Leffler, Russell Hill, Michael Sherman, Aaron Richter and Jason Roberts is DISMISSED without prejudice.

Entered this 18th day of October, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge